

REMARKS

Upon entry of this Amendment Claims 1, 9-17 and 19-32 will be pending. The Advisory Action indicated that the claims were allowed, except for Claims 18, 29 and 32. This amendment cancels Claim 18 and amends Claims 29 and 32 as advised by the Examiner in the recent interview. The Applicants thank Examiners Small and Ramseur for the courteous interview of November 20, 2003. The Examiners expressed their concerns with the scope of method of treatment Claims 29 and 32 in the absence of the presentation of additional experimental test results, but suggested claim language which would likely address these concerns. This language appears in the amendment below. Accordingly, the favorable consideration and allowance of this application is now respectfully requested.

Rejection—35 U.S.C. 112, first and second paragraph

Claim 18 was rejected under 35 U.S.C. 112, first paragraph as lacking adequate written description or as being indefinite. The Applicants do not acquiesce to the basis for these rejections because page 69 of the specification explicitly describes crystals, see e.g., line 24, and crystalline forms of particular compounds are exemplified in the specification. On the other hand, as discussed in the interview, Claim 1 already covers crystals of the claimed compounds. Therefore, to advance prosecution, Claim 18 has been cancelled without prejudice.

Rejection—35 U.S.C. 112, first paragraph

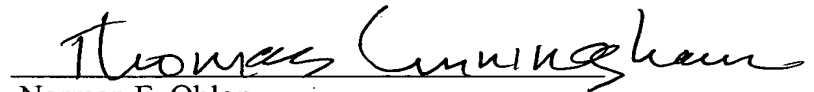
Claim 29 was rejected under 35 U.S.C. 112, first paragraph, as lacking adequate enablement. As discussed in the recent interview, this rejection is moot in view of the amended claim language.

CONCLUSION

In view of the above amendments and remarks, the Applicants respectfully submit that this application is now in condition for allowance. Early notification to that effect is earnestly solicited.

Respectfully submitted,

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A handwritten signature in cursive script, appearing to read "Norman F. Oblon", written over a horizontal line.

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